Bills Committee on Electronic Health Record Sharing System Bill

Written submissions on the major proposed amendments to the Bill

Pursuant to an earlier decision of the Bills Committee, the organizations and individuals, which/who have given their views to the Bills Committee, have been invited to provide their written response to the major proposed amendments to the Electronic Health Record Sharing System Bill ("the Bill") as set out in the paper entitled "Summary of issues involving major proposed amendments to the Bill raised by members and/or the Privacy Commissioner for Personal Data and the Administration's position" (LC Paper No. CB(2)986/14-15(01)) prepared by the Legislative Council Secretariat. The proposed amendments are mainly related to safeguards for data privacy under the Electronic Health Record Sharing System.

- 2. A total of nine written submissions, as attached in **Appendices I to IX**, from the following organizations and individuals have been received -
 - (a) submission from eHealth Consortium Limited (Chinese version only) (**Appendix I**);
 - (b) submission from Hong Kong Academy of Medicine (English version only) (**Appendix II**);
 - (c) submission from Hong Kong Alliance of Patients' Organizations (Chinese version only) (**Appendix III**);
 - (d) submission from Senior Citizen Home Safety Association (Chinese version only) (**Appendix IV**);
 - (e) submission from Sin-Hua Herbalists' & Herb Dealers' Promotion Society Limited (Chinese version only) (**Appendix V**);
 - (f) submission from System Aid Medical Services Limited (English version only) (**Appendix VI**);
 - (g) submission from Professor John Bacon-Shone (English version only) (**Appendix VII**);

- (h) submission from Mr NG Kwok-keung (Chinese version only) (Appendix VIII); and
- (i) submission from Dr TANG Shuk-ming (Chinese version only) (**Appendix IX**).

Council Business Division 2
<u>Legislative Council Secretariat</u>
27 March 2015



電子健康聯盟支持《電子健康紀錄互通系統條例草案》主要修訂

政府一直就電子健康紀錄互通系統的建設及完善工作努力不懈,對整個系統的規劃作出了相當周詳的考慮,本聯盟對此予以高度的肯定及欣賞。在 2014 年,我們就曾就《電子健康紀錄互通系統條例草案》提出意見,並表示支持,在此不予重複(詳情可見於附件)。

電子健康紀錄互通系統與民生息息相關,故社會各界在過去曾提出不少意見。政府一直用心聆聽市民踴躍發表的意見,不斷進行優化及完善工作,令草案的內容更臻完備。尤其對保障病人的私隱方面,政府更作出了不少積極的調整,既能有效地保障病人的權益,更能夠確保系統運作時的流暢度及效率,有效地平衡社會各界的權益。

我們深信電子健康紀錄互通是醫療改革的重要基石,有助提升市民的生活水準及健康水平。爲迎接電子健康紀錄互通系統的來臨,醫療業界及資訊科技界已經投入大量資源,作出充分的準備。例如;不少醫療機構及私家診所已實施 Clinical 管理系統(CMS),將病歷電子化及標準化。由此可見,社會各界已經具備充足的條件,可順利過渡至電子健康紀錄互通的新時代。

我們衷心希望《電子健康紀錄互通系統條例草案》及其修訂能夠盡快通過及落實,讓電子健康紀錄互通系統能夠盡快投入服務,這樣香港的醫護服務將進入燦爛光輝的新一頁,廣大的香港市民更能享受及體驗到此系統所帶來的裨益,提升生活水平。

電子健康聯盟 副主席

陳曉明先生謹啓



附件

(電子健康聯盟於2014年就《電子健康紀錄互通系統條例草案》提交的意見)

電子健康聯盟對於《電子健康紀錄互通系統條例草案》的意見

我們對政府過往數年就互通系統的設計及發展,以及條例草案的準備所作出的努力,以至整個系統的規劃作出了相當周詳的考慮,感到十分欣賞,並期望《電子健康紀錄互通系統條例草案》能夠為香港電子健康發展揭開新的一頁。

自 2008 年政府提出電子健康紀錄互通的概念以來,私隱保護是各界最關心的問題,在法案委員會的會議中也有很多相關提問。在過往的公眾諮詢中,有人曾提出「保管箱」概念,即把敏感的病歷或資料作額外保密,需市民另作確認才可讓醫護人員查閱。有意見認爲,若不設立「保管箱」,市民可能因爲對洩露敏感病歷有所疑慮而不作授權,甚至不願意參加互通系統,最終會影響互通系統的成效。

我們對於政府希望確保電子健康紀錄的完整齊全,以確保醫療服務質素,因此計劃在第二階段就「保管箱」的設立作進一步研究,表示理解。我們建議政府就如何保障個人私隱多作研究,並邀請業界一起商議及探討。當局除了以行政手法對敏感病歷作出保障外,亦可考慮透過立法減低敏感病歷洩露的風險。另外,當局如對設立「保管箱」有技術上的顧慮,不妨與電子健康及資訊科技界加強合作,共同研究一套合適的技術方案,以消除相關疑慮。

有意見認爲互通系統應包括「病人平台」,讓市民可通過網站及手機應用程式自 行查閱及管理個人病歷。當局表示,病人可能在欠缺醫療專業意見下對病歷資料 有所誤解,對系統亦會構成額外的風險,並表示要在第二階段再進行研究。我們 明白政府的憂慮,並樂意與政府共同研究一個合適的方案,既方便市民查閱個人 健康紀錄,同時可減少市民對病歷資料的誤解。

條例草案列明有 13 類醫護人員可使用互通系統,包括表列或註冊中醫。我們對此表示歡迎。香港現時仍未有統一的中醫術語表,部份中醫仍不習慣以電子形式儲存病歷紀錄。過往電子健康聯盟曾和政府合作,成功舉辦中醫藥從業員電子健康培訓課程,中醫業界對使用電子健康紀錄非常支持。我們建議政府可推行更多

電子健康培訓及支援計劃,讓更多中醫可應用電子技術處理病歷,令互通系統盡早涵蓋中醫。電子健康紀錄互通是醫療改革的重要基石,與市民未來的健康息息相關。電子健康聯盟期望互通系統不斷進步,從而改善醫護服務質素,讓市民健康有所得益。



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18 March 2015

Bills Committee on EHRSS Bill Legislative Council Complex 1 Legislative Council Road Central, Hong Kong

Dear Sir,

EX OFFICIO MEMBERS

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Chief Executive Officer
Mr. Elmer Wan

Bills Committee on Electronic Health Record Sharing System (EHRSS) Bill Major Proposed Amendments to the Bill

Thank you for your letter of 5 March 2015 inviting comment from the Hong Kong Academy of Medicine on the proposed amendments to the EHRSS Bill. We have the following comments:

- 1. A well-developed and properly accessed electronic health record sharing system would enhance patient welfare and improve the overall efficiency of our healthcare system provided that it could draw wide participation from both healthcare recipients and healthcare providers. In this connection, the Bill should strike a balance between the needs of protecting patient privacy, and facilitating share/access of health information by healthcare providers.
- As mentioned in the Academy's position statement sent to the Bills Committee in May last year, the key value of any electronic health record platform is for improvement of medical services from the standpoint of the medical profession. Medical practitioners should have sufficient medical history of patients for better care management. While the Academy appreciates the need to protect privacy of patients, the quality of medical care would inevitably be affected if with too much emphasis on restriction of data accessibility by medical practitioners and privacy of patients on the electronic health record. The Academy understands that a new division 3A will be introduced in the Bill to stipulate the spirit of fostering healthcare recipients' choice over data sharing, but wishes to reiterate that the sharing restriction would make the patient information incomplete which could be critical for emergency conditions. On a side issue relating to this - whether doctors would have liability for accidentally overlooking data uploaded to the system during his treatment of a patient should also be clarified.



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> **Chief Executive Officer** Mr. Elmer Wan

Any potential punishment on medical practitioners on "wrong doing" may have adverse effect on how the profession will consider using the EHRSS.

- The Academy agrees to the "need-to-know" principle for access to sharable data. It however involves different healthcare professionals (e.g. registered medical practitioners, registered/enrolled nurses, registered chiropractor); and various sharable data (e.g. OT records, laboratory / image reports, anesthetic notes). As to the proposed new Clause 35A on healthcare providers' duty to restrict access to sharable data, there should be sufficient support and guidance from the Government for healthcare providers in implementing the "needto-know" principle, both on technical level, and actual operation at different healthcare settings.
- As to the proposed deletion of Clause 38, while we agree that rights to data access or data correction were crucial for the protection of individual's personal data, yet the healthcare provider concerned should be involved for the correction, if any, to ensure accuracy of the health data.

To encourage good use of the EHRSS, the Academy suggests that the eHR office provide training for eligible users about how to use the EHRSS properly and safely.

Yours sincerely

Dr Donald Li President

C:\govt\eHR\eHR submission March 2015 rev 16.8 2015



Hong Kong Alliance of Patients' Organizations Limited

香港病人組織聯盟

就《電子健康紀錄通系統條例草案》 主要擬議修訂的事宜 提交的意見書 (2015年3月16日)

致:立法會《電子健康紀錄互通系統條例草案》委員會主席莫乃光議員

感謝 閣下透過立法會秘書處向香港病人組織聯盟(下稱「聯盟」)發送《《電子健康紀錄互通系統條例草案》委員會由委員及/或個人資料私隱專員提出、涉及條例草案主要擬議修訂的事官及政府當局立場的摘要》文件及附件,並邀請聯盟提供意見。

總體而言,聯盟認為法案委員會和個人私隱專員就《電子健康紀錄互通系統條例草案》提出的擬議修訂是有必要的,盡量在公民權利與政府權力之間取得較適當的平衡,讓市民在接受電子健康紀錄互通系統服務時,個人權利得到必要的尊重和保障。

聯盟的具體意見如下:

第一、第16條 視為給予互通同意

根據第 16(1)及 16(2)條,凡醫護接受者或醫護接受者的代決人給予參與同意,該醫護接受者或代決人即視為已向醫院管理局(下稱"醫管局")及衞生署給予互通同意。部分委員認為上述條文應予修訂,以容許醫護接受者或其代決人選擇"不按普遍做法"的安排。

聯盟支持部份委員提出的修訂,容許醫護接受者或其代決人選擇"不按普遍做法"的安排。儘管政府認為「這種安排並不有助於實踐互通系統促進提供醫護服務方面公私營協作的目標,在政策角度而言十分不理想」,然而對於參與互通系統的市民,在充份知情的情況下按其個人意願,讓他們保留選擇是否按普遍做法的權利,是有必要的。

第二、擬新增的第 3A 分部 互通限制

(a) 個人資料私隱專員(下稱"私隱專員")及部分委員強烈認為,應為登記醫護接受者的電子健康紀錄所載健康資料施加額外取覽限制(即設置"保管箱"功能,為某些健康資料另外設置儲存間),以維護他們不向訂明醫護提供者披露若干健康資料的權利,並避免因為未有適當監控資料的查閱而令他們因為該些特別敏感的健康資料而受到歧視。就此,私隱專員建議:(i)在第12條下新增一款,讓登記醫護接受者可就他/她所給予互通其資料的同意施加限制;及(ii)在第2條下新增"互通限制"的定義,讓食物及衞生局局長以憲報形式決定或指明適當形式的限制。

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Hong Kong Alliance of Patients' Organizations Limited

聯盟在2014年5月向法案委員會提交的意見書,有如下表述:

「聯盟明白,互通系統紀錄的資料必須盡量完整齊全,以確保醫療服務的質素。 不過,我們認為是否設立「保管箱」,容許醫護接受者就高度敏感的個人健康記錄互 通資料設定取覽限制,仍有值得商権之處。

我們理解,參與電子健康紀錄系統可以獲取連貫優質的醫療服務。另一方面,所有健康紀錄資料均是病人的個人私隱,是否披露及願意披露什麼內容,最終是病人的個人意願和權利。

按條例草案,一旦市民參與互通系統,電子健康紀錄專員有絕對權力,決定醫護接受者必須提供的健康資料,可能包括高度敏感的個人健康資料。如果病人必須不分層次毫無保留地披露所有個人的健康資料,且毫無取覽限制,才具備參與電子健康紀錄互通系統的條件,絕對不是公共服務與個人權利之間的理想平衡,也會窒礙重視個人權利的市民參與互通系統,令系統不能達至最佳效用。

聯盟建議,互通系統設立「保管箱」,參與的市民可以將高度敏感的個人健康紀錄資料且被電子健康紀錄專員界定為必須提供的內容放置其中,並保留取覽的授權。 當事人按照個人意願,決定是否讓某一醫護提供者取覽在「保管箱」內的資料。

關於「高度敏感的個人健康資料」的範圍,初步建議為:遺傳病(包括個人的遺傳信息如 DNA 等)、性病、精神病。

在設立「保管箱」,經醫護接受者授權才可取覽敏感資料的前提下,聯盟同意條例法案所訂定,有關電子健康紀錄專員對界定健康資料的權力。」

聯盟在2014年6月23日向法案委員會提交的補充意見書有如下意見:

「聯盟依然堅持我們的意見,認為互通系統內有需要設立「保管箱」,把遺傳病及遺傳資料、性病和精神病等個人高度私隱的健康資料存放在內,由病人自行決定是否向個別醫護人員披露。

病人對醫護人員充份信任,但不等於有需要把全部個人高度私隱的健康資料向所有有權 在互通系統取覽資料的醫護人員披露。

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舉例來說,某病人因感冒肚瀉或牙床發炎求診,有無需要讓醫生知道他的遺傳編碼或精神病史?某病人接受切除盲腸手術,有無需要讓醫生知道他三十年前曾患性病並已治癒?某病人到精神科覆診時,當然不會拒絕讓醫生看他的精神病紀錄;檃婦接受懷孕檢查時,也不會拒絕讓醫護檢閱她的遺傳資料。

因此,基於現時互通系統對醫護人員不設取覽權限的情況下,設立「保管相」,對尊重 病人個人權利和保障私隱是完全有需要的。」

聯盟完全支持部份委員和私隱專員提出,為登記醫護接受者的電子健康紀錄所載健康資料施加額外取覽限制的修訂。

至於政府的回應表示,「政府當局會在計劃第二階段首年循正面的方向就增加醫護接受者的選擇進行研究,以開發及實施某形式的新功能或安排為目標,讓登記醫護接受者在限制披露其資料方面有更多的選擇。政府當局會就條例草案提出委員會審議階段修正案(下稱"修正案"),在第2條下新增"互通限制要求"的定義;及在條例草案新增第3A分部,以在條例草案中加入載述加強醫護接受者在資料互通方面的選擇的精神,但同時又不會預先限制了相關功能的未來設計」,聯盟認為這是政府在社會各方提出強烈訴求下作出的回應和妥協,雖然未能在互通系統實施第一階段付諸實行,我們期望在第二階段可以兌現,讓參與互通系統的病人的權利得到合情合理的尊重和保障。

第三、擬新增的第 35A 條 訂明醫護提供者限制取覽健康資料的責任

私隱專員及部分委員認為,條例草案應明確地列明個別醫護專業人員只可以在"有需要知道"的基礎上取覽互通系統內的電子健康紀錄這項主要原則。有建議認為,應在條例草案中加入一項條文,訂明已取得互通同意的訂明醫護提供者所僱用的職員中,只有相關的醫護專業人員才可取覽備存在互通系統內的電子健康紀錄的有關部分。

聯盟支持這項修訂。

第四、第53(2)條 電子健康紀錄研究委員會的設立

部分委員建議在第 53(2)條下指明電子健康紀錄研究委員會委員的確切組合,從而確保由食物及衞生局局長委任的 10 名非當然委員將會來自不同界別。

聯盟支持這項修訂,期望電子健康紀錄研究委員會的組成中,確保有醫護接受者即病人的認受代表,以及其他公民社會的代表。

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倡導人本醫療 推動病人參與 Advocating Patient-Centered Healthcare – Promoting Patients Engagement



Hong Kong Alliance of Patients' Organizations Limited

第五、第57(2)條 限制公職人員的法律責任

條例草案第 57(2)條訂明,專員並無責任檢查或承諾檢查電子醫療紀錄系統,以確定(a)本條例是否獲遵守;或(b)向互通系統提供的任何可互通資料,是否準確。私隱專員反對此條,因為這帶出專員如何能有效地擔當其規管及監管角色的問題。此條亦會窒礙私隱專員向專員行使執行權力以確保專員遵從《私隱條例》。此外,保證互通系統內電子健康紀錄的完整性,是專員作為資料使用者根據《私隱條例》保障資料原則的第 4 及 2(1)原則所須要遵從的責任。

聯盟支持私隱專員提出的修訂。

--全文完--

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"Finding the new in the old Seeing the beauty in the old"



《電子健康紀錄互通系統條例草案》的主要擬議修訂提交意見書(修訂本)

就有關《電子健康紀錄互通系統條例草案》於 2015 年 3 月作出主要擬議修訂,在探討應否為敏感的健康記錄另設置儲存 間,以及取用限制方面,協會意見如下:

從協會相關服務的經驗・協會的註冊護士獲得長者的授權後・會透過電子健康紀錄互通系統・檢視服務使用者於醫管局的 醫療記錄,為服務使用者詳細解釋所接受的治療,以及提醒有關醫療注意事項。 就敏感的健康記錄另設儲存空間,協會 認為醫護接受者有權選擇避免披露特別敏感記錄,以保障個人私隱。 另一方面,亦需考慮平衡醫護人員/ 提供到戶服務人 士的安全·故請當局列出敏感的健康記錄範圍·以及不同醫護提供者的取用權限·讓兩者利益得以保障·減低傳染病 e.g. 愛滋病 或/ 乙形肝炎或/ 肺結核散播的可能性。

在訂明醫護提供者限制取覽健康資料的責任方面、協會認為應為不同類別機構內的醫護提供者訂立不同取用權限、同時、 建議以醫護提供者權限來劃分取覽病歷 (全部或部份・以分別是否包括所有敏感病歷) ・以確保所有資料完整齊全・可供不 同專業查閱及修改,避免醫護接受者需重新重覆檢驗,浪費資源、或延長診治的程序和時間,引致病情惡化等。 供者更可按專業範疇內自行修改和填寫報告, 按需要列明醫護接受者的健康記錄,不同專業範疇的醫護提供者更可查閱 其他專業的紀錄,確保醫護接受者得到最適合的治療。

關於長者安居協會

長者安居協會於 1996 年由一群熱心人士支持下成立,旨在回應當時一股突如其來的寒流而引致逾百名獨居長者猝死的不 幸事件。協會是自負盈虧的社會企業及非牟利慈善團體.本著以「企業養福利」、以人為本的服務及科技.提昇長者於社 區生活的素質,將平安延伸至社會每個角落。

除了香港人熟悉的「平安鐘®」服務外·近年協會為回應新一代銀齡人士的需求·積極拓展如「隨身寶®」、「平安手機 ®」、「智平安」、「e 体健」護士關懷等,整合成一整套完善的「平安服務」,令長者無論身處家居或外出活動,都可使用 協會直接管理的 24 小時呼援及關懷服務熱線中心的優質服務。

Dr. Alice T.F. Yuk, JF

www.schsa.org.hk

致:余穎智女士

已閱上述文件。本人對於同意部分不加多述。以下為我個人之意見如下:

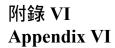
1) 3A 分部 - 互通限制

支持。但需清楚列明保障資料的範疇,而不包含在互通資料範圍內。以便業界可清楚廣泛執行。

2) 第 17 條及 20 條 - 醫護提供者申請登記及將政府政策局及部門登記為醫護提供者

同意。但需要列明政策局及部門成為醫護提供者所承擔的權責問題。

新華中醫中藥促進會 俞煥彬





醫博系統服務有限公司 System Aid Medical Services Limited

<u>Submission to the Bills Committee on Electronic Health Record Sharing</u> System Bill Meeting in March 2015

We are very pleased to see that significantly progress have been made in the discussion of the Electronic Health Sharing System Bill. Our comments regarding the Draft Bill have been submitted to the Bills Committee via our previous two submissions in May 2014 and January 2015 respectively. We have no further comment to add.

We would like to reiterate our wish that given the overwhelming load of benefits of e-HR sharing to the Healthcare community and the general popularity of Information Technology (IT), we fully support the introduction of the Electronic Health Reocrd Sharing System Bill as soon as possible so that patients can start to enjoy the benefits and flexibility of e-HR sharing.

Joanna Chu Marketing Director System Aid Medical Services Limited

System Aid Medical Services Limited, is a support service provider to the Hong Kong Medical Association's Clinic Management System 3X and a trained service provider under the eHR

On-Ramp Service Provider list.

Written submission on the major proposed amendments to the Electronic Health Record Sharing System Bill

Professor John Bacon-Shone, Director, Social Sciences Research Centre, The University of Hong Kong Wednesday, 18 March 15

In my earlier submission, I raised four points:

- 1. Compatibility with the PDPO. The principles enshrined in the PDPO are timetested and should certainly not be weakened in any way for health records, especially since health records may include personal data that are sensitive in the two key domains, namely where the disclosure consequence is high (e.g. current disease status or history, such as sexually transmitted diseases) or the data contains unique, unchangeable identifiers (e.g. DNA).
- 2. Sharable scope and exclusion of data. The eHR system proposed will not allow the data subject ANY control other than "all-or-nothing". This lack of choice can only be seen as a form of blackmail that clearly is inconsistent with the PDPO principle of fair collection (this is quite distinct from emergency situations where an override of access restrictions may be essential if the patient is unconscious or unable to give consent for some other reason). It is easy to see other possible problems, such as a pre-employment health check, where a patient will be unable to make the reasonable choice to allow the physician to see some, but not all of their eHR.
- 3. Re-identification risk. As noted under point 1, medical data may include unique, unchangeable identifiers, such as DNA. The consequence of this is that anonymised data cannot be assumed to be privacy safe, as there is a non-trivial and increasing risk of re-identification. Another example would be that full details of hospital and clinic visits may also be a unique identifier. This means that releasing of anonymised health records for research cannot be assumed to be privacy safe and MUST be required to undertake careful review to minimise the reidentification risk to a safe level (or refuse release).
- 4. I am also greatly concerned that the process for review of research access of eHR records is largely undefined in the legislation and there are no guarantees that the membership of the review board will be competent to assess not only the medical research value but crucially the privacy risk that must be balanced against the research value for access to either anonymised or identified records.

The key question is whether the amendments proposed by the administration have properly addressed these four points.

- 1. Compatibility with PDPO: It appears to me that this concern has been addressed and I leave it to the PCPD to highlight any remaining concerns. However, I am disappointed that the PCPD will have no additional powers for eHR data, given the high sensitivity of such data and their weak enforcement powers generally.
- 2. Sharable scope and exclusion of data: The Admininstration is insistent that they will not agree to any opt-out of HA and DH data "as it was not conducive to the realization of the System to foster public-private collaboration in healthcare delivery". I would support this approach if it was matched with a commitment to a "safe deposit box", which has repeatedly been asked for by people like me who understand the privacy implications of requiring that all DH data must be included, which by definition includes sensitive information about all visits to the DH Social Hygiene Clinics, which cover sexually transmitted infections. Unfortunately, the Administration's response falls far short of what is required, promising only to conduct a study on enhancing HCRs' choice along a positive direction, with a view to developing and implementing some form of new device or arrangement enabling additional choice for registered HCRs over the disclosure of their data. There should be a firm commitment to follow the Australian lead by promising a "safe deposit box".
- 3. Re-identification risk.: As noted under point 1, medical data may include unique, unchangeable identifiers, such as DNA. This means that releasing of anonymised health records for research cannot be assumed to be privacy safe and MUST be required to undertake careful review to minimise the reidentification risk to a safe level (or require research to be done in a safe and secure environment, as is required by Census and Statistics Department for Census records). This appears not to have been addressed at all, meaning that control of access for research becomes critical.
- 4. Process for review of research access of eHR records is largely undefined: The Administration has stated the intention to elaborate on the specific requirements for the 10 non-ex officio members of the Electronic Health Record Research Board, but the details are absent as of now, so it is unclear whether this will be properly addressed.

In short, while the Administration's latest position is an important improvement, it still falls well short of what is required for an ordinance that is intended to ensure that personal medical data will be properly protected in the new eHR system. I would be happy to elaborate further on these views, if invited.

Yours sincerely

Professor John Bacon-Shone

致《電子健康紀錄互通系統條例草案》委員會

敬啟者:

自 2009 年得悉政府計劃推行電子健康紀錄互通系統,本人和大部份市民一樣感到十分 欣喜。然而 6 年已過,相關條例仍在審議中,作爲資訊科技界及電子健康業的一份子, 本人感到萬分焦急,期望相關條例能夠盡早獲得通過。

本人在過往的一年一直留意條例的立法工作和進度,亦曾於 2014 年 5 月 26 日出席公 聽會,就條文內容表達意見,包括希望互通系統能夠包含保管箱功能,並只有「有需 要知道」的醫護人員才可閱覽獲互通同意的病歷。對於當局擬修訂相關條文,加入 「有需要知道」及類近保管箱功能的「互通限制」條文,本人感到歡迎,並感激當局 能夠聆聽及接納有關意見。

本人希望條例能夠盡快通過,並於將來推出更多功能,讓市民能夠在互通系統/病人 平台上管理電子健康紀錄的互通和分享,並和醫護人員進行更多互動和協作,令到市 民獲得更有效率和質素的醫療和健康服務。

此致

吳國強 Clube 2015年3月18日

電子健康紀錄互通系統盡快推行 充份保障個人私隱和權益

自 2014 年 5 月至今,立法會《電子健康紀錄互通系統條例草案》委員會已就《電子健康紀錄互通系統條例草案》舉行了 14 次會議·筆者對於議員在審議條例草案上付出的的時間和努力感到欣慰和鼓舞,惟條例至今已審議約一年,期望條例立法工作能夠盡快完成。

筆者於去年曾致函委員會,希望條例能夠充份釋除市民就個人私隱與權益保障的疑慮,並認為市民應該有權選擇是否分享敏感病歷,而議員、個人私隱專員和業界對此亦深表關注。經過多番討論,筆者得悉有關當局最終與私隱專員達成共識,並建議加入「互通限制」條文,讓參加互通系統的市民可提出要求,限制該市民健康資料的互通範圍,對此筆者表示歡迎。

當草案條例獲得通過,最終如何設定「互通限制」的範圍及種類、如何界定敏感病歷、以至「保管箱」功能如何設計等等,仍有待當局盡快研究和落實。筆者期盼新設的電子健康紀錄專員能夠在條例獲得通過後即時展開研究工作,並諮詢市民及與資訊科技界加強合作,盡早落實相關功能,讓電子健康紀錄互通系統更趨完善,充份保障市民私隱及權益,改善醫護服務質素,令到市民健康最終有所裨益。

香港特別行政區政府選舉委員會資訊科技界委員 鄧淑明博士 太平紳士 2015年3月20日